

ENFORCEMENT PRIORITY SCREENING CHECKLIST
ENFORCEMENT SENSITIVE - DO NOT RELEASE

Revised 10/29/98

INSTRUCTIONS

In response to a detected violation or set of detected violations, EPA enforcement staff may find completion of this checklist useful in prioritizing cases for formal enforcement action. Even if a violator has received or requested compliance assistance, the violations may still merit the initiation of a formal enforcement action.

NAME AND LOCATION OF THE VIOLATOR:

FACILITY: SUNOCO, Inc. (PAD9805505594)

ADDRESS: West Delaware Avenue and Green Street

CITY, STATE, ZIP CODE: Marcus Hook, Pennsylvania 19061-0426

Program Contact: Jiménez

ORC Contact:

Industry Code(Sic): 2911

SCREENING QUESTIONS

1. What is the violation? Date? Date of inspection: September 22, 1999

1A. The inspector observed about 30 feet of fencing had been knocked down at the greater than 90-day storage area. Security - 40 C.F.R. § 264.14(b)(2)(i), 25 Pa. Code § 75.264(d) and in violation of Part II, Section C of the STD Permit

1B. An eight feet long crack was observed at the greater than 90-day storage area floor. Containment - 40 C.F.R. § 264.175, 25 Pa. Code § 75.264(q)(10)-(12) and in violation of Part III, Section G of the STD Permit,

1C. Seven spent carbon containers were observed without the caps. Facility classified the waste as D018 or hazardous for benzene. No samples were taken. Management of containers - 40 C.F.R. § 264.173, 25 Pa. Code § 75.264(q)(3)-(4) and in violation of Part III, Section F of the STD Permit,

1D. A spent carbon container was extremely rusted. Photo was taken. Condition of container - 40 C.F.R. § 264.171, 25 Pa. Code § 75.264(q)(1) and in violation of Part III, Section C of the Permit

1E. Two 5-gallon pails containing waste. Containers were not labeled or marked with words "Hazardous waste" or dated. Accumulation time - 40 C.F.R. §§ 262.34(a)(2) and (a)(3), 25 Pa. Code § 75.262(g)(1) - No samples, we need a 3007 letter concerning waste in drum.

Describe:

3. Are there circumstances at the facility that may present an imminent and substantial endangerment as a result of the release of hazardous waste or hazardous waste constituents?

Yes or ☒ No Describe:

4. Is the facility a chronic or recalcitrant violator? No

Describe:

5. Do the violations found deviate substantially from the terms of a permit, order, or agreement or from RCRA statutory or regulatory requirements?

No

Describe:

6. Have there been any State enforcement actions taken against the violation?

No.

Describe:

7. Did the violation occur in a Community based, Sector Based, or Regional Strategic Planning Priority Area as reflected in the current Enforcement MOA or elsewhere?

Describe: Yes, Chester/Marcus Hook - Environmental Justice

8. Is it suspected that the violator may have obtained an economic benefit or an unfair competitive advantage in its industry from its noncompliance?

No

Describe:

9. Did the violation deprive EPA or any state or local environmental agency of information critical to its program operation, or otherwise undermine the regulatory scheme?

No

Describe:

10. Is this a repeat or recurring violation?

No

Describe:

11. Are there known or suspected violations of other regulatory requirements?

Describe:

12. Is there evidence that the violator was, or should have been, aware of the requirements which are being violated?

Describe:

13. Is it known whether the violator has received compliance assistance and has failed to correct the violation in a timely manner?

Describe:

14. Should an enforcement action proceed to the penalty stage, are there any known SEP proposals that might be brought to the violator's attention?

Describe:

15. What is the recommended enforcement response?

A complaint.

Describe:

16. Has the possibility of criminal enforcement been discussed?

Date of screening meeting:

17. Has the State been contacted about these violations? What is their recommendation?

No

Describe:

José J. Jiménez - Date: 3/21/00